

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**ACUTE CARE AMBULANCE  
SERVICE, L.L.C.,**

**Plaintiff,**

**VS.**

**ALEX M. AZAR II, Secretary,  
UNITED STATES  
DEPARTMENT OF HEALTH  
AND HUMAN SERVICES,**

**Defendant.**

**CIVIL ACTION NO. 7:20-cv-217**

**JOINT MOTION TO STAY THE ORDER FOR CONFERENCE AND  
DISCLOSURE OF INTERESTED PARTIES**

COMES NOW Plaintiff Acute Care Ambulance Service, L.L.C. and Defendant Alex M. Azar II (collectively “the Parties”) and after conferring, hereby move to stay the Court’s Order for Conference and Disclosure of Interested Parties (ECF No. 2) and allege and aver as follows:

1. On August 7, 2020, Plaintiff filed its Verified Complaint for Injunctive Relief and Declaratory Relief and Attorney Fees. (ECF No. 1).
2. On August 10, 2020, the Court ordered a for Conference and Disclosure of Interested Parties. (ECF No. 2). The Order set an initial pretrial and scheduling conference for October 14, 2020, at 9:00 AM. *Id.*
3. Additionally, the Order stated that the Parties were to confer and shall prepare and file at least 10 days before the conference a Joint Discovery/Case Management Plan. *Id.*

4. On October 2, 2020, the Parties conferred and due to the type of Complaint and the response to be filed by Defendant, the Parties are in agreement that in the interest of the Parties, it is appropriate for the Court to stay the Court's Order until after Defendant responds to Plaintiff's complaint. As the Parties are in agreement, they will not be prejudiced nor will the stay delay proceedings in the Court.

WHEREFORE, PREMISES CONSIDERED, the Parties respectfully request a stay of the Court's Order for Conference and Disclosure of Interested Parties until after Defendant responds to Plaintiff's complaint.

Respectfully submitted,

KENNEDY  
Attorneys and Counselors at Law

/s/ C. Trey Scott  
MARK S. KENNEDY  
State Bar of Texas No. 24000122  
LURESE A. TERRELL  
State Bar of Texas No. 24008139  
C. TREY SCOTT  
State Bar of Texas No. 24083821  
12222 Merit Drive, Suite 1750  
Dallas, TX 75251  
Telephone: (214) 445-0740  
Fax: (972) 661-9320  
[trey@markkennedylaw.com](mailto:trey@markkennedylaw.com)

**ATTORNEYS FOR PLAINTIFF**

RYAN K. PATRICK  
United States Attorney  
BY: /s/ Jose Vela Jr.  
Jose Vela Jr.  
Assistant United States Attorney  
Attorney in Charge  
Fed ID# 25492  
Texas State Bar No. 24040072

1000 Louisiana Street, Suite 2300  
Houston, Texas 77002  
713.567.9000  
713.718.3303 (fax)

OF COUNSEL:  
Robert P. Charrow  
General Counsel

Mervin Turner  
Chief Counsel

Rama Lagadapati  
United States Department of Health and Human Services  
Office of the General Counsel, Region VI  
1301 Young Street, Suite 714  
Dallas, Texas 75202

**CERTIFICATE OF SERVICE**

On October 2, 2020, a true and correct copy of the forgoing reply was served on all counsel of record through the CM/ECF system.

/s/ C. Trey Scott

C. TREY SCOTT